

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/815,342
		Filing Date	April 1, 2004
		First Named Inventor	Ayad ABDUL-AHAD
		Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	59208AUSM1
Total Number of Pages in This Submission	7		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): This Response includes a Petition pursuant to 37 CFR 1.47 and the Declaration of Dietmar Gross.
Remarks This Request is being submitted to the Office of Petitions via facsimile at (703) 746-4060.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Anna Gil, Reg. No. 46,726	
Signature		
Date	2 December 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Anna Gil		
Signature		Date	2 December 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re to the Application of: Ayad ABDUL-AHAD and Dietmar GROSS	Examiner: Not Yet Assigned
Serial No.: 10/815,342	Group Art Unit: Not Yet Assigned
Filed: 1 April 2004	Petitions Attorney: Charlema R. Grant Office of Petitions
Title: Higher Doses Of Interferon- Beta For Treatment Of Multiple Sclerosis	
Docket No.: 53208AUSM1	

Office of Petitions and
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR § 1.47(a)

Dear Sir:

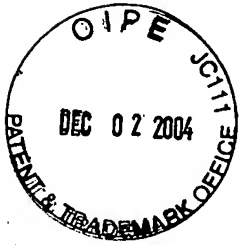
This Request is responsive to the Decision mailed 4 November 2004, in the above-referenced nonprovisional application, and requests reconsideration of Applicants' Petition pursuant to 37 CFR § 1.47(a) filed on 4 October 2004, in the above-referenced application. Pursuant to Rule 47, the deadline for filing this reply is 4 January 2005, therefore making this response timely.

The Decision informs Applicants that the above-mentioned Petition is dismissed, because the declaration executed by Inventor Gross, pursuant to 37 CFR § 1.63(c)(1), submitted with Applicants' Petition, allegedly does not contain the mailing and/or residence address of the two named inventors. Further, it is alleged that such information is not located in an Application Data Sheet (ADS) pursuant to 37 CFR § 1.76. Thus, Applicants are advised that a newly executed declaration or ADS is required.

In contrast to the above allegations, Applicants submit that the ADS filed with the application on 1 April 2004 includes the residential address of each of the named inventors. To address the concerns communicated in the Decision of 4 November 2004, a copy of the ADS filed 1 April 2004 is included herewith, along with a copy of Applicants' self-addressed post card listing the ADS and proof of receipt by the USPTO.

Thus, Applicants respectfully request reconsideration of the Petition under 37 CFR § 1.47(a), in view of the remarks herein and attached ADS with the residential addresses of each named inventor.


Application Serial No. 10/815,342
Attorney Docket No. 53208AUSM1
Request For Reconsideration Of Petition Under 37 CFR 1.47(a)



The Commissioner is hereby authorized to charge any fees associated with this Request, to Deposit Account No. 02-2117.

Respectfully submitted,

Date: 2 December 2004


Anna Gil, Reg. No. 46,726
Attorney for Applicants

BERLEX BIOSCIENCES
Corporate Patents
2600 Hilltop Drive
P.O. Box 4099
Richmond, CA 94804-0099

General Tel. No.: (510) 262-500
Direct Dial Tel. No.: (510) 669-4758
Fax. No.: (510) 262-7095

**APPLICATION DATA SHEET****Application Information**

Application Type:: Regular
Subject Matter:: Utility
Suggested Classification::
Suggested Group Art Unit::
CD-ROM or CD-R?:
Number of CD Disks::
Number of Copies of CDs::
Sequence Submission?: Yes
Computer Readable Form (CRF)?:: Yes
Number of Copies of CRF:: 1
Title:: Higher-Doses Of Interferon-Beta For
Treatment Of Multiple Sclerosis
Attorney Docket Number:: 53208AUSM1
Request for Early Publication::
Request for Non-Publication?:
Suggested Drawing Figure::
Total Drawing Sheets:: 6
Small Entity::
Petition Included?:
Petition Type::
Secrecy Order in Parent Appl.?: No

First Applicant Information

Applicant Authority Type:: Inventor
Primary Citizenship Country:: GB
Status:: Full Capacity
Given Name:: Ayad
Middle Name::
Family Name:: Abdul-Ahad
Name Suffix::



City of Residence:: Basking Ridge
State or Province of Residence:: NJ
Country of Residence:: US
Street of Mailing Address:: 10 Birch Drive
City of Mailing Address:: Basking Ridge
State or Province of Mailing Address:: NJ
Country of mailing address:: US
Postal or Zip Code of mailing address:: 07920

Second Applicant Information

Applicant Authority Type:: Inventor
Primary Citizenship Country:: DE
Status:: Full Capacity
Given Name:: Dietmar
Middle Name::
Family Name:: Gross
Name Suffix::
City of Residence:: White Plains
State or Province of Residence:: NY
Country of Residence:: US
Street of Mailing Address:: 110 Vintage Court
City of Mailing Address:: White Plains
State or Province of Mailing Address:: NY
Country of mailing address:: US
Postal or Zip Code of mailing address:: 10603

Correspondence Information

Correspondence Customer Number:: 27586
Phone Number:: (510) 262-5411, (510) 669-4699
(510) 669-4290, (510) 669-4483
(510) 669-4758



Fax Number::

(510) 262-7095

E-Mail Address::

wendy_washtien@berlex.com,

neil_miyamoto@berlex.com

melissa_shaw@berlex.com

ron_hermenau@berlex.com

anna_gil@berlex.com

Representative Information

Representative Customer Number::	27586.
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Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This application			

Foreign Priority Information**Assignment Information**

Assignee Name::

Schering Aktiengesellschaft

Street of Mailing Address::

City of Mailing Address::

Berlin

State or Province of Mailing Address:

Country of Mailing Address::

Germany

Postal or Zip Code of mailing address:: D13342



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Abdul-Ahad et al.
 Case No.: 53208AUSM1
 Serial No.: Not Yet Known
 Filing Date: Herewith
 Attorney or Agent: Anna Gil
 Document(s): Utility Patent Application Transmittal
 Fee Transmittal (in duplicate)
 Application Data Sheet (3 sheets)
 Specification (28 sheets)
 Drawings (6 sheets)
 Statement Verifying Identity of Sequence Listing
 Sequence Listing (2 sheets)
 Sequence Listing Computer Readable Form (1 disk)

15364 U.S. PTO
 10/815342



040104

Date Sent to USPTO April 1, 2004

Express Mail No. ER 214062368 US

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<p>1. Article Addressed to:</p> <p>Mail Stop <i>Patent Application</i> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>		<p>C. Signature</p> <p>X</p> <p>D. Is delivery address different from item 17? If YES, enter delivery address below:</p> <p>RECEIVED APR 02 2004 USPTO MAIL CENTER</p>	
<p>2. Article Number (Copy from service label) <i>ER 214062368</i></p>		<p>3. Service type</p> <p><input type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>PS Form 3811, July 1999</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>Domestic Return Receipt 102585-00-M-0852</p>	